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10/082,107	02/26/2002	Takeshi Hoshino	ASAM.0052	3511

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EXAMINER

NATNAEL, PAULO S M

ART UNIT PAPER NUMBER

2614

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/082,107

**Applicant(s)**

HOSHINO ET AL.

**Examiner**

Paulos M. Natnael

**Art Unit**

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/24/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. The following title is suggested: a remote control network system for remotely controlling a plurality of electric apparatus such as home appliances.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gutta et al., U.S. Pat. No. **6,600,475**.

Considering claim 1, Gutta et al disclose the following claimed subject matter, note;

a) a video camera of which a field of view or a controllable range within the field is set to include said objects to be controlled and which detects only light of a particular wavelength region, is met by video camera 240, fig.2;

b) a remote controller for generating electromagnetic waves toward a given position within said field of view or within said controllable range to form a light pointer of said particular wavelength range at said position irradiated with said electromagnetic waves, and capable of remote controlling, is met by indicator 522, fig.2 (see also disclosure on col. 5, lines 1-17)

c) a control unit that processes an output signal from said video camera to detect any one or ones, indicated by said pointer, of said objects to be controlled, is met by the image process 505 and application process 530, fig. 2; (see the controller in col. 6, lines 35-65)

c1) a control unit that ...receives from said remote controller an operation signal associated with the remote controlling on said indicated object, is met by the indicator 522 (which could be a remote controller), and the RF detector 524, fig.2 which send signals to the application process 530.

Except for;

c2) a control unit that ...supplies a control signal according to said operation signal through a network to said object indicated by said pointer, so that said object indicated by said pointer can be remotely controlled by said remote controller.

Regarding e), Gutta et al. discloses the control unit (image process 505 and application process 530) supply a control signal. However, Gutta et al discloses "this single dimension, however, can be used in multiple ways. For example, a single-axis

control such as a slider control could be controlled with pointing gestures. A point on a road shown on a road map may also be indicated. Also, by using successive gesture inputs, say one for the row and one for the column of a table, a desired cell can be indicated.” Col. 2, lines 29-35) Gutta does not specifically disclose remotely controlling other objects. Gutta et al teach that “...the user may indicate the same using gesture, a remote control button, or other indicator 522. The application process 530 then generates an output on an output device 540, such as a trace on a whiteboard or control data for an avatar of a game. In systems where the planar projection is obtained through a radio device, an RF detector 524 may be provided.” (Col. 5, lines 15-17) This suggests that the Gutta et al method as quoted above may be used in controlling the objects that are indicated by the pointer. Therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Gutta et al by providing a control unit that allows or supplies control signals to remotely controllable objects so that various objects/appliances may be controlled by the system of Gutta et al and render the system more versatile and useful to the user.

#### ***Allowable Subject Matter***

5. Claims **2-12** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to disclose a system of remotely controlling plurality of home

appliances, wherein for each of the electric appliances, an apparatus recognition range is set to define the range of said appliance within said field of view of said video camera, and said control unit, when one of said apparatus recognition ranges is selected by said pointer, detects said appliance associated with said apparatus recognition range indicated by said pointer, and supplies said control signal to said detected appliance, as in claim 2;

The control unit registers a refrigerator to be in a designated state by specifying said refrigerator by a pointer, and under the condition that the specification of said refrigerator is registered, said control unit controls a television set, by use of said pointer to designate said television set, and by use of said remote controller to make a certain remote controlling operation, so that the state in which foods are placed in said refrigerator can be displayed on said television set, as in claim 6;

Wherein said electric appliances are a television set, a refrigerator and an electronic oven, said control unit **registers** said refrigerator and said electronic oven to be in a registered state by use of said pointer to designate said refrigerator and said electronic oven, and under the condition that the designation of said refrigerator and said electronic oven is registered, said control unit controls said television set, by use of pointer to designate said television set and by use of said remote controller to make a certain remote controlling operation, so that information of possible recipes using foods placed in said refrigerator is displayed on said television set, as in claim 7;

The control unit controls said television set, by use of pointer to designate said television set and by use of said remote controller to make a certain remote controlling

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operation, so that the state in which foods are placed in said refrigerator is displayed on said television set, and under the condition that the state in which foods are placed in said refrigerator is displayed on said television set, said control unit controls said television set by registering said electronic oven, so that information of possible recipes using foods placed in said refrigerator can be displayed on said television set, as in claim 8;

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


8. Burleson et al., U.S. Patent No. 6,717,528 discloses dynamic feedback projection from a handheld pointing device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (703) 305-0019. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**PAULOS M. NATNAEL**  
**PATENT EXAMINER**

PMN

September 17, 2004